



Attorney's Docket No.: 4411.P002

Patent

In re the Application of: Korenshtein et al.

(inventor(s))

Application No.: 09/484,609

Filed: January 18, 2000

For: CACHING OUTPUT FROM AN OBJECT IN AN APPLICATION SERVER ENVIRONMENT

(title)

RECEIVED

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

AUG 20 2003

Technology Center 2100

SIR: Transmitted herewith is an Amendment for the above application.

Small entity status of this application under 37 C.F.R. §§ 1.9 and 1.27 has been established by a verified statement previously submitted.

A verified statement to establish small entity status under 37 C.F.R. §§ 1.9 and 1.27 is enclosed.

X No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	Claims Remaining After Amd.		Highest No. Previously Paid For	Present Extra
Total Claims	* 46	Minus	** 47	0
Indep. Claims	* 7	Minus	*** 8	0
	<b>First Presentation of Multiple Dependent Claim(s)</b>			

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest No. Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

SMALL ENTITY	
Rate	Additional Fee
X9	\$
X42	\$
+140	\$
Total Add. Fee	\$

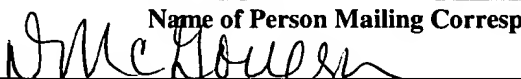
OTHER THAN A SMALL ENTITY	
Rate	Additional Fee
X18	\$ 0
X84	\$ 0
+280	\$
Total Add. Fee	\$ 0

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450 on August 14, 2003

Date of Deposit

Deborah A. McGovern

Name of Person Mailing Correspondence

  
Signature

August 14, 2003

Date

A check in the amount of \$                      is attached for presentation of additional claim(s).  
  X   Applicant(s) hereby Petition(s) for an Extension of Time of   THREE   month(s) pursuant to  
37 C.F.R. § 1.136(a).

  X   A check for \$   930.00   is attached for processing fees under 37 C.F.R. § 1.17.  
       Please charge my Deposit Account No.   02-2666   the amount of \$                     .

**A duplicate copy of this sheet is enclosed.**

  X   The Commissioner of Patents and Trademarks is hereby authorized to charge payment of the  
following fees associated with this communication or credit any overpayment to Deposit Account  
No.   02-2666   **(a duplicate copy of this sheet is enclosed):**

  X   Any additional filing fees required under 37 C.F.R. § 1.16 for presentation of  
extra claims.

  X   Any extension or petition fees under 37 C.F.R. § 1.17.

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Date:   8/14/2003  

12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, California 90025  
(408) 720-8300

                    Kevin Shao                      
Kevin G. Shao

Reg. No.   45,095



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APR 10 2000

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN  
LOS ANGELES

Serial/ Patent No.: 09/484,609 Filing/ Issue Date: 1/18/00

Client: ETRADE

Title: CACHING OUTPUT FROM AN OBJECT IN AN APPLICATION SERVER  
ENVIRONMENT

BSTZ File No.: 04411.P002

Atty/ Secty Initials: RCC/jb

Date Mailed: 3/28/00

Docket Due Date: 5/21/00

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Amendment/Response (____ pgs.)  | <input type="checkbox"/> Express Mail No.: _____                                     | <input checked="" type="checkbox"/> Check No. <u>34206</u> |
| <input type="checkbox"/> Appeal Brief (____ pgs.) (in triplicate)                              | <input type="checkbox"/> _____ Month(s) Extension of Time                            | Amt: <u>\$130--</u>  |
| <input type="checkbox"/> Application - Utility (____ pgs., with cover and abstract)            | <input type="checkbox"/> Information Disclosure Statement & PTO 1449 (____ pgs.)     | <input type="checkbox"/> Check No. _____                   |
| <input type="checkbox"/> Application - Rule 1.53(b) Continuation (____ pgs.)                   | <input type="checkbox"/> Issue Fee Transmittal -                                     | Amt: _____   |
| <input type="checkbox"/> Application - Rule 1.53(b) Divisional (____ pgs.)                     | <input type="checkbox"/> Notice of Appeal.   |  |
| <input type="checkbox"/> Application - Rule 1.53(b) CIP (____ pgs.)                            | <input type="checkbox"/> Petition for Extension of Time                              |  |
| <input type="checkbox"/> Application - Rule 1.53(d) CPA Transmittal (____ pgs.)                | <input type="checkbox"/> Petition for _____  |  |
| <input type="checkbox"/> Application - Design (____ pgs.)                                      | <input type="checkbox"/> _____   |  |
| <input type="checkbox"/> Application - PCT (____ pgs.)   | <input type="checkbox"/> Power of Attorney (____ pgs.)                               |  |
| <input type="checkbox"/> Application - Provisional (____ pgs.)                                 | <input type="checkbox"/> Preliminary Amendment (____ pgs.)                           |  |
| <input type="checkbox"/> Assignment and Cover Sheet  | <input type="checkbox"/> Reply Brief (____ pgs.)                                     |  |
| <input checked="" type="checkbox"/> Certificate of Mailing <u>5</u>                            | <input checked="" type="checkbox"/> Response to Notice of Missing Parts              |  |
| <input checked="" type="checkbox"/> Declaration & POA ( <u>5</u> pgs.)                         | <input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business |  |
| <input type="checkbox"/> Disclosure Docs & Orig & Copy of Inventor's Signed Letter (____ pgs.) | <input type="checkbox"/> Transmittal Letter, in duplicate                            |  |
| <input type="checkbox"/> Drawings: _____ # of sheets includes _____ figures                    | <input type="checkbox"/> Fee Transmittal, in duplicate                               |  |

☒ Other: Notice to File Missing Parts of Nonprovisional Application

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AUG 20 2003

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ELY, SOKOLOFF, TAYLOR & ZAFMAN,  
PARTNERSHIP INCLUDING LAM CORPORATION  
1379 LAYMEAD PARKWAY  
SUNNYVALE, CA 94086  
(408) 720-8588

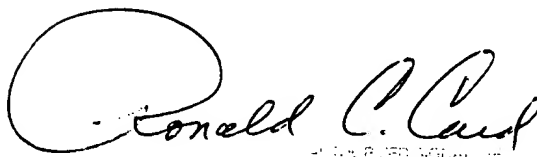
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34206

ONE HUNDRED THIRTY AND NO/100 \*\*\*\*\*

Commissioner of Patents and Trademarks

DOLLARS \$  
3/13/00 \$ 130.00

  
VP

⑈034206⑈ ⑆121137522⑆ 1890⑈67366⑈6⑈

\*\*\*\*\* CHECK FRONT OF CARD FOR MICR LINE \*\*\*\*\*

DETACH AND RETAIN THIS STATEMENT  
THIS CHECK IS THE PROPERTY OF COMERICA BANK. IT IS NOT TO BE  
REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.

DATE	DESCRIPTION	ACCT. NO.	AMOUNT
12/00	U.S. Patent and Trademark Office Missing Parts filing fee for CACHING OUTPUT FROM AN OBJECT IN AN APPLICATION SERVICE ENVIRONMENT 09/484,609 filed 1/17/00 Pood Korenstein et al. Etrade 04411.P002 \$130.00 RCO/jb 004411.P002 RCO/jb Etrade	9670.1	\$ 130.00

24/51

34206

**FORMALITIES LETTER**

\*OC000000005001780\*

**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**Address: COMMISSIONER OF PATENT AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/484,609	01/18/2000	Roni Korenshtein	0441.P002

Ronald C Card  
 Blakely Sokoloff Taylor & Zafman LLP  
 12400 Wilshire Boulevard 7th Floor  
 Los Angeles, CA 90025

Date Mailed: 03/21/2000

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION****FILED UNDER 37 CFR 1.53(b)*****Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

---

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

**PART 2 - COPY TO BE RETURNED WITH RESPONSE**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Roni Korenshtein et al. ) Examiner: Not yet assigned  
Application No.: 09/484,609 ) Art Unit: Not yet assigned  
Filed: 1/18/00 )  
For: CACHING OUTPUT FROM AN OBJECT IN )  
AN APPLICATION SERVER ENVIRONMENT )

---

Assistant Commissioner for Patents  
Box Missing Parts  
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION  
(FILING DATE GRANTED)

Sir:

In response to the Notice to File Missing parts of Application (Filing Date Granted)  
mailed March 21, 2000, please find enclosed:

- (1) a duly executed Declaration and Power of Attorney with respect to the  
above-referenced patent application;
- (2) a check in the amount of \$130.00 in payment of the surcharge of 37  
C.F.R. § 1.16(e); and
- (3) a copy of the Notice to File Missing Parts of Application.

If any additional fee is required, please charge Deposit Account No. 02-2666. A duplicate of this Response is enclosed for deposit account charging purposes.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: March 28, 2000 Ronald C. Card

Ronald C. Card  
Reg. No. 44,587

12400 Wilshire Blvd.  
Seventh Floor  
Los Angeles, CA 90025-1026  
(408) 720-8598

**FIRST CLASS CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

on 3/28/00  
Date of Deposit

JUANITA BRISCOE  
Name of Person Mailing Correspondence  
Juanita Briscoe  
Signature

3/28/00  
Date

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

CACHING OUTPUT FROM AN OBJECT IN AN APPLICATION SERVER ENVIRONMENT

the specification of which

     is attached hereto.

  X   was filed on January 18, 2000 as

United States Application Number 09/484,609

or PCT International Application Number                     

and was amended on                                     .

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>			<u>Priority Claimed</u>	
<u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>	<u>Yes</u>	<u>No</u>
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>          </u>	<u>          </u>
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>          </u>	<u>          </u>
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>          </u>	<u>          </u>



I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

Application Number	Filing Date
Application Number	Filing Date

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number	Filing Date	Status -- patented, pending, abandoned
Application Number	Filing Date	Status -- patented, pending, abandoned


I hereby appoint the persons listed on Appendix A hereto (which is incorporated by reference and a part of this document) as my respective patent attorneys and patent agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

Send correspondence to Ronald C. Card, BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP, 12400 Wilshire Boulevard 7th Floor, Los Angeles, California 90025 and direct telephone calls to Ronald C. Card, (408) 720-8300.  
(Name of Attorney or Agent)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole/First Inventor Roni Korenshtein  
Inventor's Signature Roni Korenshtein Date 2/28/00  
Residence Los Gatos, CA Citizenship United States of America.  
(City, State) (Country)  
Post Office Address 16407 Shady View Lane  
Los Gatos, CA 95032

Full Name of Second/Joint Inventor Rajesh Narayanaswamy

Inventor's Signature  Date 2/28/00

Residence Sunnyvale, CA Citizenship India  
(City, State) (Country)

Post Office Address 655 South Fair Oaks #P212  
Sunnyvale, CA 94086

## APPENDIX A

William E. Alford, Reg. No. 37,764; Farzad E. Amini, Reg. No. P42,261; Aloysius T. C. AuYeung, Reg. No. 35,432; William Thomas Babbitt, Reg. No. 39,591; Carol F. Barry, Reg. No. 41,600; Jordan Michael Becker, Reg. No. 39,602; Bradley J. Berezna, Reg. No. 33,474; Michael A. Bernadieu, Reg. No. 35,934; Roger W. Blakely, Jr., Reg. No. 25,831; Gregory D. Caldwell, Reg. No. 39,926; Ronald C. Card, Reg. No. 44,587; Andrew C. Chen, Reg. No. 43,544; Thomas M. Coester, Reg. No. 39,637; Alin Corie, Reg. No. P46,244; Dennis M. deGuzman, Reg. No. 41,702; Stephen M. De Klerk, under 37 C.F.R. § 10.9(b); Michael Anthony DeSanctis, Reg. No. 39,957; Daniel M. De Vos, Reg. No. 37,813; Robert Andrew Diehl, Reg. No. 40,992; Sanjeet Dutta, Reg. No. P46,145; Matthew C. Fagan, Reg. No. 37,542; Tarek N. Fahmi, Reg. No. 41,402; Paramita Ghosh, Reg. No. 42,806; James Y. Go, Reg. No. 40,621; James A. Henry, Reg. No. 41,064; Willmore F. Holbrow III, Reg. No. P41,845; Sheryl Sue Holloway, Reg. No. 37,850; George W. Hoover II, Reg. No. 32,992; Eric S. Hyman, Reg. No. 30,139; William W. Kidd, Reg. No. 31,772; Sang Hui Kim, Reg. No. 40,450; Eric T. King, Reg. No. 44,188; Erica W. Kuo, Reg. No. 42,775; Kurt P. Leyendecker, Reg. No. 42,799; Michael J. Mallie, Reg. No. 36,591; Andre L. Marais, under 37 C.F.R. § 10.9(b); Paul A. Mendonsa, Reg. No. 42,879; Darren J. Milliken, Reg. No. 42,004; Lisa A. Norris, Reg. No. 44,976; Chun M. Ng, Reg. No. 36,878; Thien T. Nguyen, Reg. No. 43,835; Thinh V. Nguyen, Reg. No. 42,034; Dennis A. Nicholls, Reg. No. 42,036; Daniel E. Ovanezian, Reg. No. 41,236; Marina Portnova, Reg. No. P45,750; Babak Redjaian, Reg. No. 42,096; William F. Ryann, Reg. No. 44,313; James H. Salter, Reg. No. 35,668; William W. Schaal, Reg. No. 39,018; James C. Scheller, Reg. No. 31,195; Jeffrey Sam Smith, Reg. No. 39,377; Maria McCormack Sobrino, Reg. No. 31,639; Stanley W. Sokoloff, Reg. No. 25,128; Judith A. Szepesi, Reg. No. 39,393; Vincent P. Tassinari, Reg. No. 42,179; Edwin H. Taylor, Reg. No. 25,129; John F. Travis, Reg. No. 43,203; George G. C. Tseng, Reg. No. 41,355; Joseph A. Twarowski, Reg. No. 42,191; Lester J. Vincent, Reg. No. 31,460; Glenn E. Von Tersch, Reg. No. 41,364; John Patrick Ward, Reg. No. 40,216; Mark L. Watson, Reg. No. P46,322; Thomas C. Webster, Reg. No. P46,154; Charles T. J. Weigell, Reg. No. 43,398; Kirk D. Williams, Reg. No. 42,229; James M. Wu, Reg. No. 45,241; Steven D. Yates, Reg. No. 42,242; and Norman Zafman, Reg. No. 26,250; my patent attorneys, and Justin M. Dillon, Reg. No. 42,486; my patent agent, of BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP, with offices located at 12400 Wilshire Boulevard, 7th Floor, Los Angeles, California 90025, telephone (310) 207-3800, and James R. Thein, Reg. No. 31,710, my patent attorney.

## APPENDIX B

### Title 37, Code of Federal Regulations, Section 1.56 Duty to Disclose Information Material to Patentability

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.